



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

# The City of Morgantown

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August 18, 2016

The Vapor Hut, LLC  
c/o William Watson  
250 Retail Circle Suite 201  
Morgantown, WV 26508

**RE: V16-23 / The Vapor Hut, LLC / 250 Retail Circle Suite 201  
Tax Map 64, Parcel 1**

Dear Mr. Watson,

This letter is to notify you of the decision made by the Board of Zoning Appeals concerning the above referenced variance petition for variance relief from Article 1369 as it relates to signage at 250 Retail Circle.

The decision is as follows:

**Board of Zoning Appeals, August 17, 2016:**

1. Each of the Findings of Fact was found in the positive as stated in Addendum A of this letter.
2. The Board granted a 4.8 square foot variance from the maximum wall sign area standard without conditions.

This decision may be appealed to the Circuit Court of Monongalia County within thirty (30) days. Any work done relating to decisions rendered by the Board of Zoning Appeals during this thirty-day period is at the sole financial risk of the petitioner.

The above referenced approval is set to expire in twelve (12) months unless you can demonstrate that it has been activated as evidenced by permits, construction, or required licenses. This expiration deadline may be extended to eighteen (18) months upon prior written request of the Board. Please note that sign and building permits must be obtained prior to the commencement of work for which variance relief was granted herein.

Should you have any questions or require further clarification, please contact the undersigned. We look forward to serving your plans review and permitting needs.

Respectfully,

Stacy Hollar  
Executive Secretary

## ADDENDUM A – Approved Findings of Fact

V16-23 / Vapor Hut, LLC / 250 Retail Circle Suite 201

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**Finding of Fact No. 1** – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

The business is located in a retail park, where only similar businesses and shopping locations exist, with similarly or greater sized signage.

**Finding of Fact No. 2** – The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

The tenant is moving into an area where much larger businesses and companies already exist. The sign we seek to have approved is slightly larger than ordinance but will look better and more in place next to larger companies such as Dollar Tree, Wal-Mart, and Gamestop.

**Finding of Fact No. 3** – The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

While the sign is slightly larger than permitted, it would still be one of the smallest signs in the plaza, smaller even than some existing signs on suites of the same size. In addition to this, the tenant's suite is the corner suite and has the least visibility from the road and parking lot.

**Finding of Fact No. 4** – The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

The proposed sign will give the tenant a better chance to attract customers and business, will better match the current aesthetic of the retail park, and still remain modestly sized in comparison to existing signs.